

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

<p>RABBI DAVID SLOMOVITZ, NATHAN FRANKEL, EDWARD HANDLER, SAMUEL LANDY, MIRIAM LEVITZ, HARRY LIEBER, DAVID REICH, ABRAHAM TAUBER, and MORRIS WALDMAN,</p> <p>Plaintiffs,</p> <p>v.</p> <p>THE ENCLAVE AT FAIRWAYS, HOMEOWNERS ASSOCIATION, INC., a New Jersey Domestic Corporation,</p> <p>Defendant.</p>	<p>Civil No.</p> <p><b>DECLARATION OF MORRIS WALDMAN</b></p>
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**DECLARATION OF MORRIS WALDMAN**

Morris Waldman declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am a resident of The Enclave at the Fairways (“The Enclave”) and a member of The Enclave at the Fairways Homeowners Association, Inc. (“HOA”) since September 1, 2016.
2. I am a practicing Orthodox Jew.
3. Since I moved into the Enclave, I have attended services at Congregation Presidential Estates on Ford Avenue and Bais Medrash of Elmwood Village on Elmwood Boulevard.

4. Prior to the HOA's installation of the skirts under the Damiano Way gate, I would climb under the gate to leave The Enclave to attend services at the synagogues. Now, with the skirts, I cannot fully attend services because I must make sure I return before the gate is locked and closed.
5. I have experienced anti-Semitic hostility at the Enclave.
6. On November 24, 2018, I was coming back from services at the Elmwood synagogue when an Enclave resident and his son started yelling anti-Semitic comments to me at the Damiano Way gate.
7. They yelled "you're supposed to use the Massachusetts Avenue gate" when a woman who was driving through the Damiano gate gestured for me to go in. They then continued with "You have no right to come through here"; "You must go through Massachusetts Way"; "This place is becoming a zoo"; and "Fucking Jews." The son cursed at me and my wife, made a dirty look and made an obscene gesture through the sunroof of his car in the presence of my wife.
8. On or about February 25, 2017, I held a prayer meeting at my house. Anyone who came out of my house was harassed and followed. Enclave residents took photos of them.
9. I had to apply for a permit from the HOA to place a Sukkah on my property. This permit is in a very bright color and large letters and must be placed on the front of our home. Last year it was orange, this year bright yellow. I find this extremely offensive and a deliberate attempt to indicate to the neighborhood that I am a Jew.
10. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2018

  
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Morris Waldman